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By ST/ISA Date 4/3/98

Department of State

POL 27 INDIA-PAK

# TELEGRAM

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SUBJ: Indian Policy in South Asia Crisis

REF: State 222636 *Pol 27 India Pak in Pol India US*

1. Indian Ambassador Jha called at his request to respond to the Under Secretary's demarche on Indian war aims (reftel). Jha accompanied by Rasgotra and Quainton Verma. ~~Quainton~~ and Schneider present from NEA.  
2. Jha began by saying he had discussed this subject in New York with Fon Min Swaran Singh. India, he said, had no war aims; it did not want war and did not start it. India clearly did not and does not covet any part of Pakistan's territory. In Bangla Desh, GOI's first

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first action had been to hand over civil administration to BD officials in order to avoid having to take law into own hands. Jha said he could say categorically that GOI was anxious to see BD remain completely independent of India.

3. In West, India's position was the same, i.e., it does not covet any Pakistan territory. GOI, however, felt concern about giving USG assurances on this kind of issue without knowing whether USG had received comparable assurances from Pakistan. India did not wish to create situation in which Pakistan could wage war with nothing to lose. GOI anxious not to make bilateral commitment to US if it might have adverse impact on Pak policy. What he had said was not for conveying as an assurance to Paks. Jha said he could not predict what would be GOI policy if there were prolonged war. From beginning and as of now GOI did not want to take any part of Pakistan.

4. Jha noted that Under Secretary had earlier raised question about Azad Kashmir. He noted Kashmir had been subject of discussion on more than one occasion. Kashmir belongs to India and any part which Pakistan holds is illegally held. GOI position has been not to seek change of situation through force. All

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evidence we have of Pakistan strategy is that GOP wishes to grab more territory. Therefore GOI would like to know whether USG has assurance from Pakistan that it will not try to get further territory in Kashmir. He said it would be unfair if the GOP keeps its options open and GOI does not.

5. Under Secretary replied that Pakistan on various occasions has accepted a cease-fire and withdrawal to status quo ante. He said he wished to make clear USG would find unacceptable any attempt by GOI to alter or rectify its borders between India and Pakistan in Azad Kashmir.

6. Jha asked whether USG would take same view if Pakistan sought to alter borders? Under Secretary said he had been speaking to existing situation and did not wish to speak on basis of hypothetical proposition. Generally speaking, we have urged a return to status quo ante and would like to see both sides withdraw. Jha asked whether we would regard it as more legitimate and defensible for Pakistan to hold on to a portion of Kashmir than India. Under Secretary reiterated we wanted both countries to return to their own borders. We do not want either country to hold any portion of other. Jha said he hoped Under

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Secretary understood that his question was no more hypothetical than one which had been put to India. He hoped USG did not have categorical view on how it would react if India held portion of Pak territory but not if Pakistan held portion of Indian territory. Under those circumstances it would be difficult for India to be categorical in its assurances. Under Secretary asked about question of India's future control over East Pakistan. Jha said this was a new question to which he could not give a firm answer. Later in the conversation, however, Jha said that one way of insuring that BD not be controlled by India was for it to come into the United Nations as a member in its own right. India does not want BD to become an Indian protectorate and is anxious not to have control over it.

7. Under Secretary noted that evacuation of Dacca had been completed successfully. Approximately 20 Americans remain and presumably will stay right through. USG will provide names of those remaining to UN, GOI and GOP. We look to GOI and BD authorities to do all in their power to protect safety of those Americans as well as other third country nationals.

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8. Under Secretary also noted that ICRC has written agreement with the GOP for protection of foreigners in Dacca in neutral zones. There is no similar agreement with GOI, and he urged GOI to consider signing an agreement for protection of foreigners. Jha said he would forward ~~suggestion~~ suggestion but commented that it would be preferable to take this matter up in New Delhi as they more familiar with matter. GOI was anxious to insure complete safety of lives of foreign nationals, and it would be very cooperative and responsible in thrashing out any problems there might be.

9. Finally, Under Secretary said he wished to raise a matter about which we had no independent verification. Pakistan Embassy had telephoned us with message from Islamabad indicating that one Pakistani officer who had been taken prisoner by Indians had been sent back to Comilla fortress by besieging Indian forces. He took back message to effect that if all did not surrender they would be handed over for butchery by Mukti Bahini. Pak Embassy brought this to our attention as violation of Geneva Convention. Jha said he could assure us report was "complete and total fabrication." Chief of Indian Army Staff

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had made public appeal assuring Pak Army of humane treatment under Geneva Convention. Yesterday in New York, Foreign Minister had spoken with leader of BD delegation suggesting that BDG should announce its adherence to principles of Geneva Convention. Under Secretary said he recognized and accepted India's declared position but urged that all possible efforts ~~would~~ be made to insure that there were no exceptions even in heat of battle.

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